

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-10 are pending in this application. Claims 1-10, which are independent, have been amended. Support for this amendment is provided throughout the Specification as originally filed and specifically at pages 56 and 57. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. § 112

Claims 3 and 6 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

Claims 3 and 6 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

Claim 3, as amended, recites, *inter alia*:

“...wherein in the case where a blank image is included in an image area to be printed on the print sheet, setting a quantity of image data and a number of pixels in an X-direction and a Y-direction at zero

as print control information with respect to the blank image and setting the capture command at a value indicating that the image type of the image data is not considered.”

Applicant respectfully submits that the amendments to claim 3 obviate the 35 U.S.C. § 112 rejections in the Office Action.

Section 4 of the Office Action rejects claims 3 and 6 based on the language, “setting the capture command at a value indicating that the image type of the image data is not considered.” Applicant submits that this feature is disclosed in the Specification at page 56, line 20 to page 57, line 9.

Therefore, claim 3 is believed to patentable.

For reasons similar to those described above, claim 6 is also believed to be patentable.

III. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1, 2, 4, 5, and 7-10 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,411,400 to Mori in view of U.S. Patent No. 6,603,737 to Fukunaga, et al.

Independent claim 1, as amended, recites, *inter alia*:

“...the control information generation means generating print control information including information which includes a blank image in the image to be printed on the print sheet in a position of associated block information that is not present in a desired result.” (emphasis added)

As understood by Applicant, U.S. Patent No. 6,411,400 to Mori (hereinafter, merely “Mori”) relates to transmitting print data having externally attached blank space to a

printing apparatus, which can communicate through a predetermined communication medium.

The position and size of the blank spaces are specified by a user.

As understood by Applicant, U.S. Patent No. 6,603,737 to Fukunaga, et al. (hereinafter, merely “Fukunaga”) relates to a data transmission system where an image providing device and a printer are directly connected to a 1394 serial bus. A command is sent from the image providing device to the printer and then response is sent from the printer to the image-providing device. Image data is sent from the image-providing device to the printer based on information provided in the response.

Applicant respectfully submits that nothing has been found in Mori or Fukunaga, taken alone or in combination that would disclose or suggest the above-identified feature of claim 1. Therefore, independent claim 1 is patentable.

For reasons similar to or somewhat similar to those described above, amended independent claims 2, 4, 5, and 7-10 are also believed to be patentable.

CONCLUSION

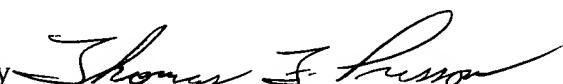
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our
Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By


Thomas F. Presson
Reg. No. 41,442
(212) 588-0800